



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/677,581

09/29/2000

Diana G. Hildreth

P/2167-165

3870

21967 7590 06/19/2006

HUNTON & WILLIAMS LLP
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
SUITE 1200
WASHINGTON, DC 20006-1109

EXAMINER

POINVIL, FRANTZY

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/677,581

Applicant(s)

HILDRETH, DIANA G.

Examiner

Frantzy Poinvil

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-65 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atkins (US Patent No. 5,644,727) in view of Phillip Storms "Using Mortgage Credit to Achieve Client Objectives".

As per claims 1, 2, 7, 58 and 65 Atkins discloses a system and method for allowing a user of a user terminal to receive credit financing opportunities (see the abstract), the method comprising:

receiving credit data from the user terminal, the credit data including a user objective and a credit profile, wherein the credit profile comprises at least one particular of any number of financial products held by the user;

determining credit financing opportunities based on the credit data and at least one predetermined decision rule, wherein the at least one credit financing opportunity comprises any number of financial products that meet the user objective; (Atkins discloses a system and method for analyzing a customer's inputted credit profile and determines at least one credit financing opportunity based on the credit data and at least one predetermined decision rule, wherein at least one credit financing opportunity comprises any number of financial products that meet the user objective. Applicant is directed to the abstract of and column 7, lines 30-45 of Atkins).

Atkins specifically states:

"Through a prioritization function, an individual may maximize her financial well being while satisfying the financial institution's objectives. The individual specifies her financial objectives, a forecast of economic and financial variables concerning a set of possible scenarios, her risk preference and the budgetary constraints to which she is subject. The prioritization function suggests consumption levels and investments and credit facilities to the individual to best realize her financial objectives. The function may also suggest one or more contractual agreement(s) reflecting a derivative form of financial instrument(s) that may best assist the individual in realizing her financial objectives".

Atkins also teaches generating the output to the user terminal.

Atkins does not specifically state generating an output, the output including a comparison of at least part of the credit profile with the at least one determined credit financing opportunity.

It is noted that not just any credit opportunity is outputted to the user. The credit opportunity is generated for the particular user who has submitted his/her profile and the credit

opportunity is outputted and meets that particular user's objective. Thus, generating an output, the output including comparison of at least part of the credit profile with the at least one determined credit financing opportunities would have been obvious to do in the system of Atkins in order to provide the user with a result matching his/her financial objective.

Furthermore, Philip Storms discloses an article entitled "Using Mortgage Credit to Achieve Client Objectives". Storms states that in providing a loan to a client, the client's profile must be analyzed and a more appropriate credit financing meeting the client's objective must be considered and chosen. See the article. Storms further teaches comparing and outputting one or more comparisons of a determined credit opportunity with a respective one of the at least one user credit data elements. See the entire document.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings provided by Philip Storms into the system of Atkins in order to provide users or consumers with an instant glance of a result of their financial objective thus making the system more user friendly.

As per claim 3, Atkins discloses the credit profile is comprised at least one user credit data element, the at least one user credit data element identifying one or more characteristics of corresponding financing previously undertaken by the user. See column 10, lines 1-10 and column 27, lines 20-27.

As per claim 4, Atkins discloses generating the output includes generating a first level output and generating a second level output (columns 14-17 of Atkins).

As per claim 5, Atkins discloses the first level output includes one or more comparisons determined credit opportunity with a conventional system. Phillip Storms discloses an article entitled "Using Mortgage Credit to achieve client objectives". Storms further teaches comparing and outputting one or more comparisons of a determined credit opportunity with a respective one of the at least one user credit data elements. See the entire document.

The motivation to combine Storms and Atkins are discussed above.

As per claim 6, both Atkins and Phillip Storms disclose there is a plurality of credit data elements and the second output includes one or more comparisons of a determined credit opportunity with the plurality of user credit data elements.

As per claim 8, both Atkins and Phillip Storms disclose the at least one user credit data element includes an interest rate, an outstanding balance and a monthly payment.

As per claim 9, both Atkins and Phillip Storms disclose the at least one user credit data element further includes an identification of whether the corresponding credit data element was issued by a provider of the financing opportunities.

As per claim 10, the combination of Atkins and Phillip Storms discloses the at least one user credit data element corresponds to at least one credit card, a vehicle loan, secured debt, an unsecured debt, home equity loan and a residential mortgage.

As per claim 11, in the combination of Atkins and Phillip Storms the summary includes at least one summary area corresponding to one of the user's credit cards, personal lines of credit,

personal loans, home equity lines of credit, auto loans, unsecured credit and total outstanding credit (see column 8, lines 56-67).

As per claim 12, Atkins and Storms do not explicitly state the user data further includes personal data corresponding to the user and further including the act of obtaining credit worthiness report based on the personal data. As per this limitation, the Examiner asserts that credit data of a borrower are usually obtained from a credit bureau. Doing the same in the combination of Atkins and Storms would have been obvious to do in order to quickly obtain loan borrowers credit information from a secure and reliable source so as to make a better determination in providing the user or borrower with credit opportunities.

As per claim 13, both Atkins and Storms disclose determining credit financing opportunities includes consideration of the credit worthiness of the corresponding user.

Claims 20-32 and 39-52 are directed to a computer storage medium storing computer executable instructions which when executed perform the functions found in claims 1-13. It is noted that Atkins is a computer system and contains storage means and a processor for performing the functions recited in claims 1-13. Thus, claims 20-32 and 39-52 are rejected under a similar rationale applied to claims 1-13 above.

As per claims 15, 34 and 54, Atkins and Storms disclose the user profile data includes a state of residence. The predetermined decision rules include consideration of the state residence

and Current interest rates for potential financing opportunities are usually considered when providing a loan to a borrower. Including such in the combination of Atkins and Storms would have been obvious to do based on the credit data of the borrower and also in order to minimize the borrower's potential losses.

As per claims 16-17, 35-36 and 55-56, the combination does not explicitly teach including receiving a request for detailed information corresponding to a selected one of the financing opportunities and wherein at least a part of the output is provided a substantially pictorial form and wherein the pictorial form includes at least one of a graph and a pie chart. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Atkins and Storms to include such a feature in order to provide loan applicants with detailed information they can choose and analyze at a glance.

As per claims 18, 37 and 57, the combined teachings of Atkins and Phillip Storms are discussed above. The combination does not explicitly teach the predetermined decision rules further consider the user's taxation rate in determining viable credit opportunities. Considering a user's taxation rate in determining credit opportunities would have been obvious to one of ordinary skill in the art to incorporate in the combination of Atkins and Storms in order to determine the true value that a user is qualified for especially if the loan is for a home in which the tax may be excessively high.

As per claims 19 and 38, the combined teachings of Atkins and Phillip Storms are discussed above. The combination does not explicitly teach preparing a list of potential

financing opportunities at least partially based on opportunity data received from at least one product processor, and wherein the determined financing opportunities are selected from the prepared list. Atkins teaches that a plurality of opportunities is made available to a borrower. Preparing such a list would have been obvious to one of ordinary skill in the art in the combination above in order to show all types of loan an applicant is qualified to apply for.

As per claim 60, claim 60 contains limitations recited in claim 1 and therefore, these limitations are rejected under a similar rationale. Claim 60 further recites “querying a knowledge base regarding the input data, and receiving operational data from the knowledge base. As per these limitations, the system of Atkins includes a knowledge base and means or steps for determining optimized information. See column 29, line 65 to column 30, line 19.

As per claim 61, in the system of Atkins, the knowledge base is connected to an electronic network.

As per claim 62, in the system of Atkins, the output includes links to at least one other electronic site.

As per claim 63, querying at least one search engine concerning the input data and processing the results of the querying of at least one search engine.

As per claim 64, Atkins discloses the output includes a list of the optimized information to the user terminal. See column 29, line 65 to column 30, line 19.

As per claim 59, both Atkins and Phillip Storms disclose providing a loan to applicants. The combined teachings specify the type of loans include: vehicle loans, education loans, home improvement loans, medical loans, large event loans and vacation loans.

As per claims 14, 33 and 53, it is not explicitly stated in the combination of Atkins and Philip Storms that the credit opportunity is considered viable if it is determined in the determining act that the user will save least a predetermined amount of money during a predetermined time period. It would have been obvious to one of ordinary skill in the art at the time the invention was made to consider the user saving a predetermined amount of money during a predetermined time period in the combination therein in order to provide an attractive system that will offer many advantages and benefits to the consumers or borrowers.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached at (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3628

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Frantzy Poinvil
Primary Examiner
Art Unit 3628

FP
June 5, 2006